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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**APPLICATION FOR AN ORDER FOR
ADMISSION PRO HAC VICE OF RACHAEL L. SMILEY, ESQ.**

Sari B. Placona, Esq., a member of the bar of this Court, hereby moves for entry of an Order granting the admission pro hac vice of Rachael L. Smiley, Esq., of the law firm of Ferguson Braswell Fraser Kubasta PC, to practice before this Court in connection with the above-captioned case.

This application (the “Application”) is submitted pursuant to Rule 101.1 of the Local Civil Rules for the United States District Court for the District of New Jersey and Rule 9010-1 of the Local Rules of the United States Bankruptcy Court, District of New Jersey (collectively, the “Local Rules”) to represent Vista Property Company, LLC and Rockwall Crossing SC, LP in the above-

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

captioned chapter 11 case. In support of this application, counsel submits the attached Certification of Rachael L. Smiley, and requests that the proposed form of order submitted herewith be entered.

The undersigned hereby represents as follows:

1. I am an attorney at law of the State of New Jersey, admitted to practice in the United States District Court for the District of New Jersey.

2. I submit this Application, pursuant to Civil Rule 101.1(c) of the Local Rules of the United States District Court for the District of New Jersey and Rule 9010-1 of the New Jersey Local Rules of Bankruptcy Procedure, in support of the entry of an Order Approving Admission, pro hac vice, of Rachael L. Smiley, Esq. to this Court.

3. Ms. Smiley is an attorney at law of the State of Texas and a partner at the law firm Ferguson Braswell Fraser Kubasta PC, 2500 Dallas Parkway, Suite 600, Plano, TX 75093.

4. Attached is the Certification of Ms. Smiley in which he certifies that she is and has been, a member in good standing of the bar of the State of Texas. Additionally, Ms. Smiley certifies that she is, and has remained a member in good standing of said bar at all times, that no disciplinary proceedings are pending against her in any jurisdiction and no discipline has previously been imposed on her in any jurisdiction.

5. Ms. Smiley is familiar with the circumstances surrounding the above-captioned proceedings and applicable law, and her presence will serve the best interests of Vista Property Company, LLC and Rockwall Crossing SC, LP.

6. Ms. Smiley is not licensed in the State of New Jersey. She wishes to appear in the above-captioned case and respectfully requests this Court to admit her pro hac vice.

7. If Ms. Smiley is permitted to participate in this action, she understands that she will be subject to the disciplinary jurisdiction of this Court.

WHEREFORE, Applicant respectfully requests entry of the Order submitted herewith approving the admission, pro hac vice, of Rachael L. Smiley, Esq. to represent Vista Property Company, LLC and Rockwall Crossing SC, LP in connection with the above-captioned case.

Dated: July 17, 2023

/s/ Sari B. Placona
Sari B. Placona

CERTIFICATION OF SERVICE

I, Sari B. Placona, hereby certify that on this 17th day of July, 2023, I caused the foregoing Application and supporting documents to be served by this Court's CM/ECF System.